

**CHAPTER 130****( HCR 109 )**

A CONCURRENT RESOLUTION urging the United States Congress to persuade the United States Environmental Protection Agency (EPA) to withdraw its proposed Greenhouse Gas New Source Performance Standard for Electric Generating Units.

WHEREAS, the United States is the world's storehouse for coal, accounting for 27 percent of the world's supply with 261 billion recoverable short tons, while only consuming one billion short tons of coal per year; and

WHEREAS, coal is the leading fuel source for electricity generation in the United States, accounting for roughly 45 percent of all electricity generation over the past two years, and providing more than 550,000 jobs in the United States; and

WHEREAS, coal produced in the United States provides energy at the most affordable rates, with the United States' power sector over the last ten years paying on average three and one-half times less for coal than the next most affordable fossil fuel; and

WHEREAS, EPA's proposed rule limits options for future electricity generation and will lead to higher electricity rates, because renewable generation sources are too expensive, too intermittent, and too small in scale to serve as base load electricity, additional nuclear capacity is not currently being built, and natural gas has a history of extreme price volatility; and

WHEREAS, eliminating diversity in the United States' electricity mix and unnecessarily relying on a single fuel for the vast majority of new electricity generation will deplete domestic natural gas resources more quickly and significantly increase electricity prices; and

WHEREAS, EPA's proposed Greenhouse Gas New Performance Standard also puts the United States at a tremendous disadvantage in the global marketplace, as China and India, which use coal for 80 percent and 68 percent of their electricity generation respectively, continue to embrace coal and greatly increase new coal-fired generating capacity with 240 gigawatts and 70 gigawatts of coal-fired capacity to be constructed respectively in those countries over the next four years; and

WHEREAS, worldwide coal use is projected to increase by 50 percent through 2035, yet while other countries continue to rely on coal to provide low-cost electricity, EPA seeks to ban new coal-fired power plants, shrink America's use of this valuable natural resource, and move to higher-cost electricity; and

WHEREAS, no other upcoming administrative or legislative action compares to the grave threat posed by EPA's proposed Greenhouse Gas New Performance Standard for both the future production and consumption of coal in the United States, because EPA's proposed standard constitutes a de facto ban on new coal-fired generating units, and this action may embolden the EPA to introduce an even more egregious rule imposing similar standards on existing coal-fired units; and

WHEREAS, for all of its increased costs, EPA's proposed rule would provide no meaningful benefit, as EPA does not claim that the proposal would result in any reduction, and certainly no measurable reduction, in the risk of global climate change;

NOW, THEREFORE,

***Be it resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky, the Senate concurring therein:***

➔Section 1. The General Assembly of Kentucky urges the Congress of the United States of America to persuade EPA to withdraw its proposed Greenhouse Gas New Source Performance Standard for Electric Generating Units. Additionally, members of Congress should work to persuade the President to direct EPA to set two separate standards for coal and natural gas rather than EPA's proposed combined standard. The new standard for coal should be based upon a new supercritical coal-fired power plant. Further, Congress should preemptively enact legislation allowing supercritical combustion technology to be compliant for new source performance standards, to prohibit EPA from extending new source performance standards to existing plants, and to amend new source review rules to allow generators to make technological improvements to existing coal plants.

➔Section 2. The Clerk of the House of Representatives shall send a copy of this Resolution and notification of its adoption to the President and Vice President of the United States, the Speaker of the United States House of Representatives, the Minority Leader of the United States House of Representatives, the Majority Leader of the

United States Senate, the Minority Leader of the United States Senate, and each member of Kentucky's delegation to the United States Congress.

**Signed by Governor April 5, 2013.**